

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

**JEWERL D. SUMMERS,**

Plaintiff,

v.

Case No. 05-72992  
Hon. Bernard A. Friedman

**JO ANNE B. BARNHART,**  
**COMMISSIONER OF SOCIAL SECURITY,**

Defendant.

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**MEMORANDUM OPINION AND ORDER**

This matter is before the Court on Magistrate Judge Virginia M. Morgan's Report and Recommendation dated June 20, 2006. No objections were filed thereto.

This Court has had an opportunity to fully review this matter and believes that the Magistrate Judge has reached the correct conclusions for the proper reasons.

ACCORDINGLY:

IT IS HEREBY ORDERED that Magistrate Judge Virginia M. Morgan's Report and Recommendation dated June 20, 2006, is hereby accepted and adopted.

IT IS FURTHER ORDERED that the plaintiff's motion for summary judgment be granted;

IT IS FURTHER ORDERED that the Commissioner's cross-motion for summary judgment be denied;

IT IS FURTHER ORDERED that the matter be remanded pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with the Report and Recommendation of Magistrate Judge Virginia M. Morgan.

\_\_\_\_\_  
July 12, 2006  
Detroit, Michigan

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s/Bernard A. Friedman  
BERNARD A. FRIEDMAN  
CHIEF JUDGE

I hereby certify that a copy of the foregoing document was served this date upon counsel of record electronically and/or via first-class mail.

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/s/ Patricia Foster Hommel  
Patricia Foster Hommel  
Secretary to Chief Judge Friedman